

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES FROM REGULAR MEETING HELD

JANUARY 8, 2008, AT 4:30 P.M.

The White County Board of Commissioners met in a regular session at 4:30 P.M. in the Grand Jury Room of the White County Courthouse, Cleveland, Georgia. Present were: Chairman Chris R. Nonnemaker, Post 1 Commissioner Joe R. Campbell, County Attorney David Syfan, County Manager Alton Brown, Chief Financial Officer Vickie Neikirk, and County Clerk Jean Welborn.

Chairman Nonnemaker called the meeting to order. After the pledge to the flag, Rev. Joseph Dover brought the invocation.

Upon motion made by Commissioner Campbell, seconded by Chairman Nonnemaker, the minutes from the Regular Meeting held December 4, 2007 and Called Meeting of December 10, 2007 were unanimously adopted.

Upon motion made by Commissioner Campbell, seconded by Chairman Nonnemaker, the following consent agenda items were unanimously adopted:

1. Adopted the following Resolution in support of Prescribed Burning:

“WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2008-1

A RESOLUTION IN SUPPORT OF PRESCRIBED BURNING IN WHITE COUNTY

WHEREAS, the State of Georgia General Assembly recognizes “prescribed burning” as the controlled application of fire to existing vegetative fuels, under specific environmental conditions and following appropriate precautionary measures, which confines the fire to a pre-determined area to accomplish land management objectives or to mitigate catastrophic wildfires; and

WHEREAS, prescribed burning of forest land serves to reduce hazardous accumulations of fuels, prepares sites for both natural and artificial forest regeneration, improves wildlife habitat, controls insects and perpetuates natural and artificial forest regeneration; and

WHEREAS, prescribed burning is a land management and public safety tool in the prevention of wildfires, reducing the loss of property and lives while saving taxpayers the cost of responding to wildfires; and

WHEREAS, forest lands constitute significant aesthetic, biological and economic resources in White County; and

WHEREAS, the White County Board of Commissioners declares that protection against uncontrolled fire and preservation of the forest lands and resources of White County are essential for the economic welfare of the county; and

WHEREAS, the White County Board of Commissioners further declares that prescribed burning is an effective method of reducing fuel loads and the potential hazards associated with uncontrolled fires; and

THEREFORE, BE IT RESOLVED THAT, the White County Board of Commissioners supports the Georgia Forestry Commission and the Georgia Department of Natural Resources in the continued use of prescribed burning in Georgia.

ADOPTED this 8th day of January, 2008.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Chris R. Nonnemaker

Chris R. Nonnemaker, Chairman

s/Joe Campbell

Joe Campbell, Post 1

(Absent)

Craig Bryant, Post 2”

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2. Adopted the following Resolution imposing a 9-1-1 charge on Voice over Internet Protocol (VoIP) Connections within White County, Georgia:

“WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2008-2

**A RESOLUTION IMPOSING A 9-1-1 CHARGE ON VOICE OVER INTERNET
PROTOCOL (VoIP) CONNECTIONS WITHIN WHITE COUNTY, GEORGIA**

WHEREAS, the Commissioners of White County, Georgia, provide Enhanced 9-1-1 services for the citizens of White County; and

WHEREAS, the Commissioners of White County, Georgia have adopted resolutions imposing 9-1-1 charges on landline and wireless telecommunications with billing addresses within White County, Georgia; and

WHEREAS, Part 4 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated authorizes local governments to impose a 9-1-1 charge upon each wireless VoIP connection subscribed to by subscribers whose billing address is within the jurisdiction of the local government; and

WHEREAS, under the provisions of such law, a charge for VoIP Service may be imposed at a rate of up to \$1.50 per month per wireless connection; and

NOW, THEREFORE, THE COMMISSION OF WHITE COUNTY, GEORGIA, HEREBY RESOLVES that this resolution be adopted to impose the 9-1-1 charge upon each Voice Over Internet Protocol telecommunications connection subscribed to by subscribers whose billing address is within the jurisdiction of White County, Georgia at the rate of \$1.50 per month per VoIP connection provided to each telephone subscriber.

BE IT FURTHER RESOLVED that said VoIP charge shall be imposed beginning February 1, 2008.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to each VoIP service supplier providing services in White County, Georgia.

IN WITNESS WHEREOF, this resolution has been duly adopted by the Board of Commissioners of White County, Georgia on this 8th day of January, 2008.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Chris R. Nonnemaker

Chris R. Nonnemaker, Chairman

s/Joe Campbell

Joe Campbell, Post 1 Commissioner

(Absent)

Craig Bryant, Post 2 Commissioner”

3. Adopted the following Resolution regarding Continuity of Operations Plan:

“WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2008-3

A RESOLUTION

WHEREAS, White County Emergency Management Agency deals with emergency situations and has need of special operating procedures dealing with a possible major disaster that could include death or injury of key officials, partial or complete destruction of established seats of government, and the destruction of public and private records essential to continued operations of government and industry;

AND WHEREAS, the EMA Director and the White County Board of Commissioners are desirous of adopting and implementing such procedures for the Continuity of Government in White County;

AND WHEREAS, the EMA Director and the White County Board of Commissioners have prepared and developed a Continuity of Government Plan for White County;

NOW, THEREFORE, the White County Board of Commissioners do hereby adopt the attached Continuity of Government Plan for White County;

The EMA Director is hereby authorized to distribute said Continuity of Government Plan for the use of the employees of White County.

Said Continuity of Government Plan may be amended from time to time as is necessary, with a copy of each amendment to be filed with the Board of Commissioners and supplied to the appropriate employees.

ADOPTED, this 8th day of January 2008.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Chris R. Nonnemaker

Chris R. Nonnemaker, Chairman

s/Joe R. Campbell

Joe R. Campbell, Post 1

(Absent)

Craig Bryant, Post 2

ATTEST:

s/Jean Welborn

Jean Welborn, County Clerk

PURPOSE

A major disaster could include death or injury of key officials, partial or complete destruction of established seats of government, and the destruction of public and private records essential to continued operations of government and industry. Law and order must be preserved and government services maintained. Applicable portions of the Georgia Code and the Constitution of the State of Georgia provide authority for the continuity and preservation of local government.

Continuity of leadership and government authority is particularly important with respect to emergency services, direction of emergency response operations, and management of recovery operations. To this end, it is particularly essential that White County continue to function as a government entity.

Under Georgia's concept of mutual aid, local officials remain in control of their jurisdiction's emergency operations while others may provide additional resources upon request. A key aspect of this control is to be able to communicate official requests, situation reports and other emergency information throughout any disaster situation.

To ensure continuity of government, government at all levels must address seven elements:

1. Succession of Officers
2. Seat of Government
3. Emergency Powers and Authority
4. Emergency Plans
5. Primary and Alternate Emergency Operations Center(s)
6. Preservation of Vital Records
7. Protection of Critical Infrastructure

Succession of Officers Heading Departments

Georgia Code permits the political subdivision to provide for the succession of officers who head departments having duties in the maintenance of law and order or in the furnishing of public services relating to health and safety. The succession list is for the primary White County Emergency response functions.

Standby Officers

Georgia Code permits the government body to appoint standby officers for each member of the governing body and up to three standby officers for the political subdivision's chief executive. The standby officer has have the same authority and powers as the regular officers.

Reconstituting the Governing Body with Temporary Officers

Georgia Code establishes a method for reconstituting the governing body. It authorizes that, should all members of the governing body, including all standby members, be unavailable, temporary officers shall be appointed by the Governor.

Meeting of Government Body during an Emergency

Georgia Code directs local governing bodies to convene as soon as possible whenever a state of emergency or local emergency exists and at a place not necessarily within the political subdivision.

Duties of Governing Body during an Emergency

Georgia Code provides that the duties of the governing body during emergencies shall include ascertaining the damage to the political subdivision and its personnel and property, reconstituting itself and the political subdivision, and performing functions in preserving law and order and furnishing local services.

Lines of Succession

Function/Department	Title/Position
County Manager	1. Chairman - BOC 2. Vice Chairman - BOC
Fire Chief	1. Assistant Fire Chief 2. Battalion Chief
Sheriff	1. Chief Deputy 2. Patrol Captain
County Attorney	1. Emergency Appointment
Community Development Director	1. Director of Planning 2. Chief Building Official
Human Resources Director	1. County Clerk 2. Finance/Payroll Clerk
Finance Director	1. Finance Clerk 2. Finance/Payroll Clerk
911 Director	1. Chief Communications Officer 2. Senior Communications Officer
EMA Director	1. Deputy Director 2. Operations Officer
Purchasing Director	1. Assistant Purchasing Clerk
Public Works Director	1. Assistant Public Works Director 2. Administrative Assistant

Seat of Government

In general, the seat of County government is that place where the Board of Commissioners is sitting and meeting. That place is:

White County Courthouse
59 South Main Street, Ste A
Cleveland, Georgia 30528

The Chairman, or any other member of the Board of Commissioners may designate alternate or temporary seats of County government should that be necessary. The seat of County government may be the EOC, or its alternate location, during an extreme emergency.

Emergency Powers and Authority

The Georgia Emergency Management Act grants emergency powers to county leadership. Authority to take extraordinary measures during emergencies derives from county emergency ordinances and emergency orders that are authorized by the Georgia Emergency Management Act.

Emergency Plans

The basis for a coordinated, effective response to a disaster is the emergency plan. Generally, the objectives of the emergency plan are to:

- ✓ Foster a jurisdiction-wide systematic approach to planning.
- ✓ Support a capability for prompt, coordinated response to large-scale disasters or threats simultaneously at all levels of government.
- ✓ Provide a basis for assured continuity of government.
- ✓ Promote uniformity in principles, policies and concepts of operations and compatibility of organizations and systems to facilitate coordinated response.

This plan, and other plans incorporated by reference, include those objectives as well as defining the relationship between it and response management. If emergency managers define emergency response as a series of decisions, the emergency plan can be viewed as a framework for decision-making. It structures the options from which a decision maker can choose. In other words, a plan composed of decisions made during “normal” times to help guide decisions during a disaster.

The emergency plan is linked to the response phase in two important ways. First, during the planning process, the major agent-generated and response-generated demands are identified and strategies are developed for meeting them. The plan itself documents the strategies. Then, in the response phase, the strategies are evaluated and implemented. The second connection between planning and response management is exercises. Such activities should be mandated in the Local Emergency Operations Plan and viewed as part of the emergency planning process.

Emergency Operations Center(s)

As a place, the EOC differs greatly from one organization to another, but the functions are much less variable. As an entity, the EOC is responsible not only for assembling and directing local government response, but also for communicating with all other levels of government, with the private sector, and the public (both the public at large and the public at risk).

The EOC is structured to fulfill an organization standard that includes the functions of management, finance and administration, logistics, operations and planning & intelligence. Although each of the functions is necessary, coordination, communications and intelligence are critical. Communications is viewed as central, with coordination running a close second.

Communications issues are important to the emergency response capability. These issues include channel capacity, the importance of multiple channels, and the planning for a viable communications system.

The location of the White County EOC is located on the bottom floor of the Mauney Building, 1241 Helen Hwy, Suite 150. In case of a major disaster, this location may be moved at the discretion of the Emergency Management Director.

Other rooms in the building will be identified as meeting rooms for section, branch and unit members, as required by the nature of the event.

ALTERNATE EMERGENCY OPERATIONS CENTERS:

Alternate emergency operations centers for White County are listed by priority:

White County Courthouse
59 South Main Street Ste A
Cleveland, Georgia 30528

Helen City Hall
25 Alpenrosen Strasse
Helen, Georgia 30545

Preservation of Vital Records

The preservation of vital records is of high importance to White County. The preservation of vital records is critical to the county's recovery from a catastrophic event. In addition to the information retrieval requirements of response, each response function has a record-keeping component. Although the principal focus of vital records preservation is to support recovery through reimbursement of disaster-related costs, vital records also have a broader and arguably more important function. Vital records become vital because they help describe a reasonably complete compilation of damage, death, physical and mental trauma, and allocation of public and private resources, making it possible to learn from the disaster experience.

Vital records for the county are maintained in several locations. A non-inclusive list includes the following:

Types of Records	Stored
Birth, Death and Marriage Certificates	Probate Office & Georgia Department of Vital Records - Atlanta
Property Tax	Tax Commissioners Office; Tax Assessors Office; Georgia Department of Revenue & Local Government Services - Atlanta
Reimbursable Projects	Finance Office - Board of Commissioners
Personal Property	Tax Assessors
Historical Archives	Historical Society
Licenses and Permits	Licenses – Board of Commissioners; Permits – Building Inspections
Human Resources	Human Resources Office – Board of Commissioners

Protection of Critical Infrastructure

During a disaster, public and private facilities will play varying roles in terms of importance. Their importance may be based on their day-to-day role and their expansion during an emergency, or upon unique circumstances common to the requirements of a particular emergency response.

Definitions of Critical Infrastructures:

The critical infrastructures addressed in this annex are as follows:

Telecommunications

The primary networks and systems that support the transmission and exchange of electronic communications among and between end-users (such as networked computers).

Electrical Power

The generation stations, transmission and distribution networks that create and supply electricity to end-users so that they achieve and maintain nominal functionality, including the transportation and storage of fuel essential to that system.

Gas and Oil Production, Storage, Transportation

The holding facilities for natural gas, crude and refined petroleum, and petroleum-based fuels, the refining and processing facilities for these fuels and the pipelines, trucks and rail systems that transport these commodities from their source to systems that are dependent on gas and oil in one of their useful forms.

Banking and Finance

The retail and commercial organizations, investment institutions, and associated operational organizations, government operations and support entities that are involved in all manner of monetary transactions, including storage for saving purposes, investment for income purposes, exchange for payment purposes, and disbursement for loan purposes.

Transportation

The aviation, rail, highway, and aquatic vehicles, conduits and support systems by which people and goods are moved from a point of origin to a destination in order to support and complete matters of commerce, government operations, and personal affairs.

Water Supply

The sources of water, reservoirs and holding facilities, aqueducts and other transport systems, the filtration and cleaning systems, the pipelines, the cooling systems and other delivery mechanisms that provide domestic and industrial applications, including systems for dealing with waste water and firefighting.

Public Safety

The medical, police, fire and rescue systems and their personnel that are called upon when responding to a public health, safety or unusual incident where speed and efficiency are necessary.

Continuity of Government

Those operations and services of government at federal, state, county and local levels critical to the function of the counties systems such as public health, safety and welfare.

Alpha-Designator (Consequence Index) System

In order to set in place some system for determining the importance of critical facilities, an alpha-designator system or “consequence index” has been developed. The alpha-designator system was developed to assist public safety agency ability to assess the importance of a critical facility. It will also provide a uniform system for prioritizing incidents collateral to a major catastrophic event.

Alpha-Designator	Description of Impact
A	Potential loss of life is 1-100
B	Potential loss of life is 100+
C	Significant physical injury to persons in the immediate area
D	Significant physical injury to persons in the general area
E	Adverse effect on public safety
F	Adverse effect on public health
G	Significant property damage (in excess of 10 homes or businesses)
H	Loss of critical communications or technology support systems
I	Major impact on transportation of goods, services, and/or people
J	Disruption of public services to a major segment of the population
K	Disruption of ability to provide care and shelter in the immediate area
L	Requires immediate evacuation

Critical Category Groupings

In addition to the alpha-designator, facilities will be grouped into one of three categories that describe their criticality to White County viability:

Category One

Damage to facilities or occupants will have a significant and immediate impact on White County's ability to effectively respond to or recover from a catastrophic event. These facilities have been identified by a public safety or public health agency as critical to public safety or health.

Category Two

Includes facilities that, if damaged or destroyed, will have a significant impact within 24 hours upon the Counties continuity of operations in business or the public interest. It generally should be an operation that is normally un-interruptible in nature. Alternatively, it could have regional, statewide or national impact that could severely affect economic, governmental or industrial operations.

Category Three

Includes facilities that, if damaged or destroyed, can cause significant impact within 72 hours to the continuity of operations in business or other public interest.

Authorities and References

- Federal Preparedness Circular 65
- National Response Plan
- Georgia Code, Chapter 3, Article 3, Section 38-3-27
- Georgia Code, Chapter 3, Article 3, Section 38-3-50 and 38-3-54
- Georgia Code, Section 36-5-21
- Georgia Constitution, Part 9, Section 2, Paragraphs 1 and 3
- White County Code, Part 1, Article 1
- White County Code, Chapter 2, Article 2, Section 2-41
- White County Code, Chapter 18; Chapter 26”

4. Adopted the following Resolution declaring certain County property as Surplus Property and authorizing the disposition thereof by donation:

“WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2008- 4

A RESOLUTION

**TO DECLARE CERTAIN PROPERTY OWNED BY WHITE COUNTY
TO BE SURPLUS PROPERTY; TO PROVIDE FOR THE DISPOSAL OF
SAID PROPERTY BY DONATION; AND TO AUTHORIZE A
REPRESENTATIVE OF WHITE COUNTY TO EXECUTE BILLS OF
SALE ON THE PROPERTY.**

WHEREAS, the Board of Commissioners of White County has determined that certain out-dated computer equipment is surplus; and

WHEREAS, due to the surplus property being difficult or impossible to sell, the Board of Commissioners of White County desires to dispose of said property through donation;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of White County, Georgia, and it is hereby resolved by the authority of the same as follows:

-1-

The Board of Commissioners of White County hereby declares that the following described property is surplus and shall be disposed of by the county by donation:

18 monitors; 3 computer towers, 4 printers, and miscellaneous outdated computer power supplies.

All surplus personal property will be donated "as is."

-2-

The County Manager is hereby authorized to execute bills of sale on the personal property.

ADOPTED, this 8th day of January, 2008.

**WHITE COUNTY BOARD OF
COMMISSIONERS**

s/Chris R. Nonnemaker
Chris R. Nonnemaker, Chairman

s/Joe R. Campbell
Joe R. Campbell, Post 1

(absent)
Craig Bryant, Post 2

ATTEST:

s/Jean Welborn
Jean Welborn
County Clerk

5. Adopted the following Resolution declaring certain County Property as Surplus Property and authorizing the disposition thereof by on-line auction:

“WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2008-5

TO DECLARE CERTAIN PROPERTY OWNED BY WHITE COUNTY TO BE SURPLUS PROPERTY; TO PROVIDE FOR THE DISPOSAL OF SAID PROPERTY BY ON-LINE AUCTION THROUGH GOVDEALS; TO PROVIDE FOR ADVERTISING OF SAID DISPOSITION OF SAID PROPERTY; AND TO AUTHORIZE A REPRESENTATIVE OF WHITE COUNTY TO EXECUTE ANY TITLE TRANSFERS AND BILLS OF SALE ON THE PROPERTY.

WHEREAS, the Board of Commissioners of White County have determined that certain County-owned property is surplus; and

WHEREAS, the Board of Commissioners of White County desires to dispose of said property through the government on-line auction and to give public notice of said disposition;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of White County, Georgia, and it is hereby resolved by the authority of the same as follows:

-1-

The Board of Commissioners of White County hereby declares that the property described in Exhibit "A" attached hereto and incorporated herein by reference is surplus and shall be disposed of by the county by government on-line auction to the highest responsible bidder for each item. All surplus personal property will be sold "as is" and must be removed from the county property by the successful bidder within ten (10) days from the award of the bid, except as otherwise provided in Exhibit "A."

-2-

The Clerk of the Board of Commissioners is directed to cause notice to be published once a week for two weeks in the official legal organ of the county not less than 15 days nor more than 60 days preceding the date of the bid due date. The legal notice shall include a description of the property to be sold and shall contain the conditions of the proposed sale and shall give the website for the on-line auction.

The Board of Commissioners of White County reserves the right to refuse any and all bids on said property.

The County Manager is hereby authorized to execute any title transfers and bills of sale to the successful bidders on the personal property.

ADOPTED, this 8th day of January 2008.

**WHITE COUNTY BOARD OF
COMMISSIONERS**

s/Chris R. Nonnemaker
Chris R. Nonnemaker, Chairman

s/Joe R. Campbell
Joe R. Campbell, Post 1

s/Craig Bryant
Craig Bryant, Post 2

ATTEST:

s/Jean Welborn
Jean Welborn
County Clerk

WHITE COUNTY

SURPLUS PROPERTY

TO BE SOLD "AS IS/WHERE IS"

- 1. 22 Miscellaneous chairs from Courthouse hallways;**
- 2. One 15-foot bench;**
- 3. Two Lexmark Ink Cartridges;**
- 4. One Olympus D360 Digital Camera;**
- 5. Five (5) Pinpad Verifones (new);**

-Exhibit A-

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6. Authorized execution of six-months' contract for Home Monitoring System with Midwest Monitoring & Surveillance, Inc. as an emergency solution to save money for the balance of the fiscal year on boarding prisoners outside the county, subject to the approval of the terms of the contract by Chief Superior Court Judge David Barrett.
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7. Adopted the following Resolution setting Qualifying Fees for 2008 County elections:

“WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2008-6

WHEREAS, the White County Board of Commissioners, as the governing authority of White County, is required by the Official Code of Georgia Annotated Section 21-2-131, to fix and publish a qualifying fee for each county office to be filled in the upcoming primary or election;

AND WHEREAS, the White County Board of Commissioners is required, no later than February 1 of 2008 to fix and publish such fees;

NOW, THEREFORE, the qualifying fees for the following county offices to be filled in the upcoming 2008 primary or election are hereby set as follows:

- | | | |
|-----|----------------------------------|------------------|
| 1) | Clerk of the Superior Court | - \$1,392.25; |
| 2) | Sheriff | - \$1,616.40; |
| 3) | Probate Judge | - \$1,392.25; |
| 4) | Tax Commissioner | - \$1,392.25; |
| 5) | Chief Magistrate Judge | - \$1,392.25; |
| 6) | Chairman, Board of Commissioners | - \$ 126.00; |
| 7) | Chairman, Board of Education | - \$ 22.50; |
| 8) | Board of Education, District 1 | - \$ 22.50; |
| 9) | Board of Education, District 4 | - \$ 21.00; |
| 10) | Coroner | - \$ 249.26; and |
| 11) | County Surveyor | - \$ 25.00. |

The Clerk of the Board of Commissioners is hereby directed to forward a copy of this Resolution to the Superintendent of Elections of White County.

ADOPTED, this 8th day of January, 2008.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Chris R. Nonnemaker
Chris R. Nonnemaker, Chairman

s/Joe R. Campbell
Joe R. Campbell, Post 1 Commissioner

(Absent)
Craig Bryant, Post 2 Commissioner

Attest:
s/Jean Welborn
Jean Welborn, County Clerk

Upon motion made by Commissioner Campbell, seconded by Chairman Nonnemaker, the following Speed Zone Study Resolution was unanimously adopted, with the cost of the proper signs being \$30,453.02 to be paid 100% from SPLOST funds. It was stated that Vickie Neikirk had recommended that the total amount of the signs be funded from SPLOST.

Beverly Bollefer addressed the carpet bids that were received for a portion of the Mauney Building (DFACS, Health Dept. and hallway). Ms. Bollefer stated that the bids that had been received quoted replacing carpet in all the offices; that she had met with Chairman Nonnemaker at the facility yesterday and that it was determined that the quote should be for just the lobbies and the hallway entrance, which bids would be under \$6,000; that she had received two bids today; that one was from Ron Cantrell for \$5,630.00, which would include the ripping up and removal of the old carpeting; that Cantrell Floor Covering (Reggie Cantrell) had placed a bid for \$4,425.00. Ms. Bollefer stated that this did not need to go back out to sealed bid because of the smaller amount of the project; that the lowest bidder on the painting bid was Wet Paint at \$6,620. Commissioner Campbell asked for clarification that this amount included paint and everything. Ms. Bollefer stated that it did and included painting all the individual offices.

Upon motion made by Commissioner Campbell, seconded by Chairman Nonnemaker, it was unanimously voted to award the contract on the carpet for the lobbies at the Health Dept and DFACS and the hallway entrance at the Mauney Building to Cantrell Floor Covering (Reggie Cantrell) for \$4,425.00 and to award the contract on the painting to Wet Paint at \$6,620, with the painting to be completed first.

Vickie Neikirk, Chief Financial Officer, presented the monthly financial report. (See Copy Attached.)

Several citizens from the area around LHR Farms came to complain about the septage operation on that farm. Peggy Rutter stated that she had the website www.ngass.com that gave information about Mr. Hulsey's operation; that the LHR Farm was the only facility like it in the State of Georgia; that the Farm accepted domestic, commercial, and grease trap wastes; that LHR Farms had been allowed to spread human waste for six years, unmonitored; that she was saying "no more."

Ms. Rutter stated that she had 345 signatures, only after 5 weeks' of collection, that she wanted to present to the Board; that she had two research papers, one from the University of Georgia, and the other from Duke University, that state that just the fumes were toxic; that they had been to Atlanta and talked to EPD; that they all know that once LHR Farms did get their permits, because of budget cuts, they (the State) would not have the manpower to monitor LHR Farms like they should be monitored; that they could not allow, or entrust, LHR Farms to submit their own testing like had been done in the past by his brother, Wes Hulsey; that if LHR Farms was legally permitted, White County needed to have an independent agency monitor LHR Farms; that since this was a one-of-a-kind facility in the State of Georgia, she believed that they could set precedence; that she did not believe that independent testing should be at the county cost or the taxpayers of White County; that she believed that the company making the profit should be the one to foot the bill for the monitoring; that LHR Farms was making an estimated \$5 to \$7 million per year; that John Hulsey should foot the bill for this monitoring; that this could be mandated by the White County officials.

Ms. Rutter stated that LHR Farms was bringing in by-products from Gastonia, NC; that she had taken pictures; that they were in there Friday and again on Monday; that who knew what was in those tankers; that if North Carolina did not want it, why was White County, Georgia taking it;

that they had the power to ask Gastonia, NC what was in those tankers; that there were speeding, 18-wheel, tankers going up and down Joe Turner Road; that she suggested that they do something about LHR Farms before White County was left with a brown field, which was contaminated land; that White County lived off its tourism; that people would not come to White County as long as all they had to give them was a brown field.

Chairman Nonnemaker stated that when he first became a Commissioner, this issue arose; that he took up the battle to stop what was going on at LHR Farms; that the problem was that when the County proposed some real easy fixes for Mr. Hulsey, Mr. Hulsey chose to go behind their backs and propose legislation to take control away from the County; that there was nothing more frustrating than to become a dumping ground for the State of Georgia and not have any control over it; that he spoke to Senator Pearson this morning; that his secretary, Donna, was very much in the citizens' corner on this; that they did not need to bash our State officials because they could be a huge resource to help them; that Senator Pearson had dedicated his commitment and staff to help with this, as well as the Lt. Governor's Office.

Chairman Nonnemaker stated that he had told Rep. Pearson, who was a proponent for property rights, that they needed to look at the property rights of the people who live around this farm; that they had a right to have a bar-be-que in their yards and live a normal lifestyle; that he was by there all the time and had smelled the noxious odors; that when the process was done correctly, there should not be a smell; that there was no telling what Mr. Hulsey was dumping out there; that he had received a call this morning from a fellow who was acting like a liaison between him and John Hulsey; that the liaison stated that John Hulsey would allow the White County Health Dept to review records, starting whenever the County wanted to; that Mr. Hulsey purportedly stated that they had been trying to get the Health Department to do this for the past five or six years.

Commissioner Campbell stated that he lived in that community; that this situation was like so many other things that came from the State like unfunded mandates; that he promised each of those who lived in that community that they were working diligently to do something about this situation; that they would not rest until something was done; that they would need to talk to the County Attorney as to whether or not they could do an injunction; that when you started to go against the State, they had deep, huge law firms like Trotman and Sanders who have been trained in nothing but environmental issues; that they wrote the laws and they could interpret them pretty much any way they wanted to; that the County Attorney probably didn't have much experience in environmental issues.

Ms. Rutter stated that they would not be going against the State; that, according to Ernest Earn, the State would love to be able to give Mr. Hulsey his permit and monitor him; that the State did not have any power; that they would not be going up against the State but going up against John Hulsey and his money and power; that Mr. Hulsey was now in the application process and no one was monitoring him.

Chairman Nonnemaker stated that they needed to talk with County Attorney, David Syfan, about the County's legal options; that they could possibly get a County injunction against Mr. Hulsey to cease and desist operations until such time that he was regulated; that the County did not have

the control to monitor Mr. Hulsey; however, that did not mean that Mr. Hulsey should not voluntarily allow them to do that; that Mr. Hulsey could voluntarily tell the County to monitor his operation.

Ms. Rutter stated that the application process on Mr. Hulsey could take another six years; that once Mr. Hulsey's State permits were issued, the County could turn around and issue stricter regulations on him.

Chairman Nonnemaker stated that these type facilities were needed when they were managed and done right, they were not a nuisance; that this facility was a nuisance, partly because Mr. Hulsey was taking stuff from all over the State and out of State; that he would only feel comfortable with only septage from White County.

County Attorney David Syfan stated that it might be possible to get an injunction because of a public nuisance; that they might need to associate an environmental firm to help with this.

Commissioner Campbell asked if any of the citizens in that area had had someone to check their wells. Peggy Rutter stated that they had an independent microbiologist who had results of a test on Sandy Alexander's property, however, he would not release the results because he had to release to the property owner first; that they had seen him this afternoon; that he had conducted water samples at her house, soil and water samples other places; that it was costly; that you could not get this type of test from the Health Department for free because it would not pick up the heavy metals that the subject waste facility was giving off; that it would cost around \$300.00 to have a well tested; that they had people on Joe Turner Road who were still drinking well water; that they had found people with kidney tumors, enlarged kidneys, bladder tumors, a man who died with kidney disease; that this was serious stuff; that they had sent a letter to the investigative department of the CDC to try to get them out there to test these wells for free because they had families that could not pay \$300.00 per well to get their well tested; that they needed the County as an entity to send a letter to this agency to get their letter moved to the top of the stack because their citizens were getting poisoned.

Angela Nicholas stated that about one year ago at about 300 feet from their back yard property line, Mr. Hulsey plowed about an acre field and every once in a while, you will see a tractor back there spraying something; that she felt that this spot must be a reserve; that she had called everybody, including the CDC; that she has tumors in her sinuses.

Commissioner Campbell stated that as soon as the Board of Commissioners could get the authority, and if they could get the authority to let the local Health Department to check and monitor the operation, they would.

Knute Rutter stated that Chairman Nonnemaker was aware that he got hold of the County file for LHR Farms; that it was rather interesting; that Hulsey bought the farm but applied for permits before he bought it; that he specifically bought the land for a dumping ground; that Mitchell Biggers was with the Health Department at the time and was out of his league with this type of operation; that John Hulsey was over applying, no question; that after Hulsey stopped reporting to White County in the first quarter in 2002, the EPD has not gotten any type of paperwork,

according to Ernest Earn, from John Hulsey; that he had talked with EPA today; that the EPA did not know if they had jurisdiction; that John Hulsey had plowed in 100,000 gallons of bad milk within 500 feet of the Davis' well; that Mitchell Bigger inspected this and found out about the milk.

Others at the meeting expressed their concern with the lack of supervision and the unknown products that were being plowed into the property by Mr. Hulsey.

Chairman Nonnemaker stated that the Board of Commissioners was very concerned with this; that they were concerned with the public health and safety risk; that their oath was to protect the public health, safety and welfare; that that was the reason that he had been trying to get on this right away; that the County Attorney was going to look at this right away.

Gary Hopkins of Plasticwerks expressed his concern for their employees and the neighbors in the Industrial Park; that he was concerned also because he and his business partner had invested a lot of money in White County; that they were very concerned about property values and in ending up with a brownfield; that Plasticwerks was in the industrial chemical process industry; that they did not have anything to do with chemicals; that they made their products in which to keep them from getting into the ground or groundwater; that one thing that was very obvious here was that if the health issues existed, they were talking about industrial hydrocarbons and solvents that would be causing these types of illnesses; that the body could not filter these things; that they had had some run-ins with the County about the building covenants; that the county had now sold the rest of the park to the very person who was polluting the land behind them; that he did not have a very easy feeling about where the county had left them; that they were holding the bag; that they had invested all this money; that they killed 40,000 flies in five days with fly traps.

Chairman Nonnemaker stated that the County needed to find out what the County could legally do; that based upon health and safety, he thought that it would broaden what the County could do; that he did not want to wait on this.

Marvine Brand stated that she had two wells on her property; that she was very concerned about their land and drinking water; that she saw on the property on Highway 129 one of the tankers dumping there; that she was concerned about their health.

Others expressed concern over health and safety issues at this area.

Chairman Nonnemaker stated that they wanted to stop this immediately and begin testing at Mr. Hulsey's expense; that they needed to see test results from the wells; that an independent company should be able to go back and look at manifests for the past six months and give a report; that the taxpayers should not bear this expense; that the County Attorney was going to look at that.

Sheriff Walden stated that they had been looking at those trucks to a certain degree; however, he would get the Department of Public Safety to see if they could monitor some of this.

It was stated that there would be a meeting the next day (Thursday) at Mr. Hirschi's property at the Park.

Chairman Nonnemaker stated that Chip Pearson had told him that Mr. Hulsey had a Letter of Consent, which he believed would mandate that Mr. Hulsey follow the State regulations. One person stated that according to Ernest Earn, it did not.

Chairman Nonnemaker asked David Syfan at his earliest convenience to figure out the best way for the Board of Commissioners to proceed. Chairman Nonnemaker suggested that each one write a courtesy letter to Chip Pearson's office to let them know what was going on.

The next regular meeting was announced for Tuesday, February 5, 2008, at 6:00 P.M.

Upon motion made by Commissioner Campbell, seconded by Chairman Nonnemaker, the meeting was adjourned.

Chris R. Nonnemaker, Chairman

Joe Campbell, Post 1

Jean Welborn, County Clerk